

RECEIVED
CENTRAL FAX CENTER

JUL 05 2006

REMARKS

Claims 1, 2, 4-20 are pending in this application and have been rejected under 35 U.S.C. § 102(e) in view of U.S. Patent No 6,175,833—West et al. These reasons for rejection are respectfully traversed. Claims 1, 6 and 14 have been amended to further distinguish the invention from the prior art of record.

Claim Rejections - 35 U.S.C. § 102(e)

Claims 1-20 have been rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No 6,175,833—West et al. This reason for rejection is respectfully traversed.

As defined by independent claims 1, 6 and 14, the present invention provides a system for creating and simultaneously publishing a survey via a plurality of types of electronic communications devices. In particular, it is preferred that the system comprises a survey input database into which the survey creator inputs and stores all relevant information associated with particular survey. After the respondents provide their responses, the responses and additional data are stored in a separate survey results database, from which survey results are analyzed and may be retrieved.

Independent claims 1, 6 and 14, as amended, all specifically recite a survey input database and a survey results database, as described in the specification and illustrated in FIGS. 1 and 3. The West et al. reference does not disclose or suggest two different databases with distinct functions and sets of data, but instead teaches to the contrary, that a single database is a more efficient manner for conducting an online survey, or even multiple online surveys. As noted at column 4, lines 58-60 of the West et al reference, it is desirable to eliminate “the cost and hassles of building a new and separate database infrastructure for every new survey.” The Office Action notes that “multiple databases” are disclosed, but it is respectfully submitted that there is no disclosure of a specific survey input database and a specific survey results database. In fact, the West reference teaches that a single database should have data structures that can be “reused over and

over for different surveys” and that the survey index table 40 holds questions for many different surveys.” (col. 4, lines 56-58). Therefore West does not disclose or suggest these limitations of the independent claims but merely states that building multiple databases can be avoided. Applicant respectfully submits that stating an element of a system can be eliminated is not the same as teaching a “viable option.”

Additionally, the independent claims have been amended to recite that the separate databases include results data beyond the answer to the survey question and a user identification and timestamp, as taught by West. The West system is explained in col. 8, lines 41-65, and is a system whereby a user is identified merely to make sure the user only votes once, and a timestamp is also included. The present invention collects other data, such as the interface device type, and stores these data in the survey results database. West lacks any teaching or suggestion of collecting any data other than the result and a few simple identifiers for that result.

To anticipate a claim, every element and limitation of the claim must be found in a single prior art reference, arranged as in the claim. *Karsten Mfg. Corp. v. Cleveland Golf Co.*, 242 F.3d 1376, 1383, 58 USPQ2d 1286, 1291 (Fed. Cir. 2001); *Scripps Clinic & Research Foundation v. Genentech, Inc.*, 927 F.2d 1565, 1576, 18 USPQ2d 1001, 1010 (Fed. Cir. 1991).

It is respectfully submitted that the West et al. reference discloses neither the element of using two distinct separate databases for an online survey nor collecting data such as the type of interface. Accordingly, it is respectfully submitted that none of claims 1, 6 or 14, as amended is anticipated by West et al.

Claims 2, 4-5, 7-14 and 15-20 depend respectively from claims 1, 6 and 14, and for these reasons are also now in a condition to be allowed as being dependent from a claim defining patentable subject matter.

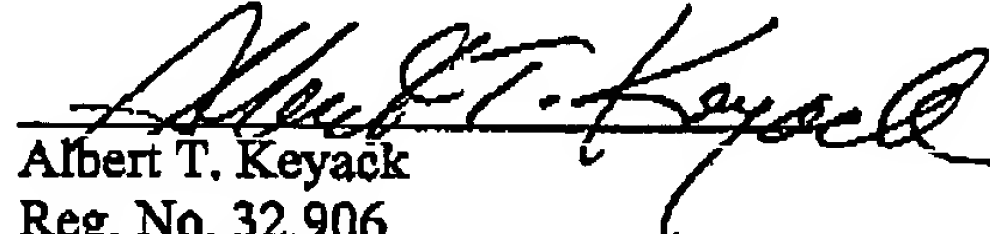
JUL 05 2006

It is therefore respectfully submitted that since the present invention is neither disclosed nor suggested by any prior art of record and all the pending claims are now in a condition to be allowed.

Conclusion

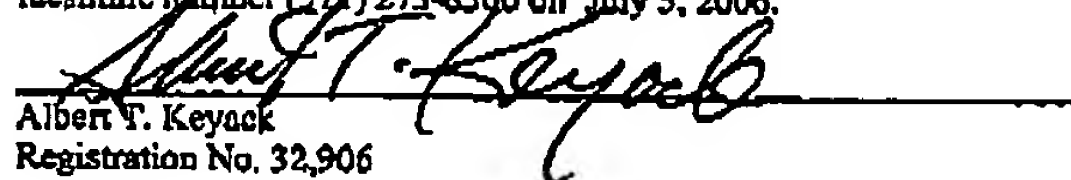
For all these reasons, it is respectfully submitted that the present application, including the amendments set forth above and the additional materials submitted herewith, is now in a condition to be allowed. Notice to this effect is earnestly solicited.

Respectfully submitted,


Albert T. Keyack
Reg. No. 32,906
Attorney for Applicant
(215) 569-3009

Dated: July 5, 2006

I, Albert T. Keyack, Registration No. 32,906, hereby certify that this correspondence is being transmitted by facsimile to the United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450 to facsimile number (571) 273-8300 on July 5, 2006.


Albert T. Keyack
Registration No. 32,906